

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

VINCENT E. SMITH, ID# 722345,

Petitioner,

v.

**RICK THALER, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,**

Respondent.

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Civil Action No. **3:11-CV-1668-L**

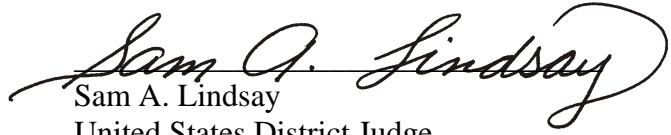
ORDER

Before the court are the Findings, Conclusions, and Recommendation of the United States Magistrate Judge, filed July 18, 2011. Petitioner did not file objections.

This is a habeas petition filed pursuant to 28 U.S.C. § 2254. Magistrate Judge Irma Carrillo Ramirez found that the petition was barred by the one-year statute of limitations of the Antiterrorism and Effective Death Penalty Act of 1996, and that equitable tolling did not apply.

Having reviewed the pleadings, file, and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct. The magistrate judge's findings and conclusions are therefore **accepted** as those of the court. The court therefore **dismisses with prejudice** the writ of habeas corpus as barred by the one-year limitations period.

It is so ordered this 19th day of August, 2011.


Sam A. Lindsay
United States District Judge